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Receipt
Patent
267/242



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Heller, Michael

Serial No.: 09/997,374

Filed: November 29, 2001

For: HYBRIDIZATION OF
POLYNUCLEOTIDES CONJUGATED
WITH CHROMOPHORES AND
FLUOROPHORES TO GENERATE
DONOR-TO-DONOR ENERGY
TRANSFER SYSTEM

)
) Group Art Unit: 1655

)
) Examiner: Not yet assigned

TECH CENTER 1600/2900

JUN 18 2002

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REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant herein requests a corrected filing receipt for the above-identified patent application.

The Filing Receipt for the above application (copy enclosed) is incorrect in that it misstates the statement of priority. The correct "Continuing Data as Claimed by Applicant" should read:

THIS APPLICATION IS A CON OF 09/724,753 11/28/2000
WHICH IS A CON OF 09/123,638 07/28/1998 PAT 6,162,603

OC-110411.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

May 21, 2002
Date of Deposit

Mary L. Smith
Name of Person Mailing Paper

Signature of Person Mailing Paper

WHICH IS A CON OF 08/703,601 08/23/1996 PAT 5,849,489
WHICH IS A CON OF 08/232,233 05/05/1994 PAT 5,565,322
WHICH IS A CON OF PCT/US92/09827 11/06/1992
WHICH IS A CIP OF 07/790,262 11/07/1991 ABN

Applicants note that the statement of priority as originally filed inadvertently omitted reference to the great-grandparent application, serial no. 08/703,601, filed on August 23, 1996, now U.S. Patent No. 5,849,489. The priority claim has been corrected by amendment of even date herewith. Therefore, applicants respectfully request the issuance of a corrected filing receipt.

Respectfully submitted,

LYON & LYON LLP

Dated: 5/20/2002

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| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|----------------|----------|------------|------------|
| 09/997,374 | 11/29/2001 | 1655 | 406 | 267/242 | 4 | 24 | 2 |

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CONFIRMATION NO. 4021

UPDATED FILING RECEIPT



OC00000007809139

Date Mailed: 04/08/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael J. Heller, Encinitas, CA;

Assignment For Published Patent Application

Nanogen, Inc., San Diego, CA;

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/724,753 11/28/2000

WHICH IS A CON OF 09/123,638 07/28/1998 PAT 6,162,603

WHICH IS A CON OF 08/232,233 05/05/1994 PAT 5,565,322

WHICH IS A ~~CON~~ OF PCT/US92/09827 11/06/1992

WHICH IS A ~~CIP~~ OF 08/250,951 05/27/1994 PAT

WHICH IS A ~~CON~~ OF 07/790,262 11/07/1991 ABN

Which is a CON OF 08/903,601 08/23/1994
PAT 5,849,489

Foreign Applications

If Required, Foreign Filing License Granted 02/13/2002

Projected Publication Date: 07/18/2002

Non-Publication Request: No

Early Publication Request: No

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U.S. PROSECUTION

Title

Hybridization of polynucleotides conjugated with chromophores and fluorophores to generate donor-to-donor energy transfer system

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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